

Miami Herald

3511 NW 91 Avenue, Miami, FL 33172

REQUEST FOR CIVIL COMPLAINT TO BE UNSEALED

To: Judge Lorna G. Schofield, Southern District of New York
From: Miami Herald Media Company, Investigations Editor Casey Frank

The Miami Herald Media Company hereby makes this request that the civil complaint in case #1:10-cv-03959-LGS-FM (Kriss et al v. BayRock Group LLC et al) be unsealed. Further, it is requested of the court that this document, once unsealed, be made available without any redactions.

The Miami Herald believes it is legally entitled to view this civil complaint in unredacted form. This document was sealed in May of 2010, and the circumstances that justified its sealing likely not longer exist.

Additionally, the Miami Herald's request is supported by a Feb. 24, 2016 decision by the United States Court of Appeals for the Second Circuit. This appeals court decision (#15-0374-cv, Bruce Bernstein v. Bernstein Litowitz Berger et al) affirmed a Southern District of New York ruling that a complaint "is a judicial document subject to a presumption of public access under the First Amendment and the common law."

Should you wish to speak with me personally, I am happy to discuss this matter further. I can be reached at (305) 376-3431 or via email at cfrank@MiamiHerald.com. Thank you for your attention to this matter.

Sincerely,

Casey Frank
Miami Herald Investigations Editor